

Conditional Use Analysis

February 24, 2010

Application

C-2-2010

Smokes on Redwood – Convenience Store Proposal

3411 South Redwood Road

General Commercial Zone, 0.98 acres

Staff Presentation by Hannah Thiel, Planner II

Background

Matthew Pavone and Dylan Coon are requesting a conditional use amendment for a convenience store to include retail beer sales with their smoke shop business located at 3411 South Redwood Road. This business will occupy approximately 1050 square feet of retail space in the most western unit in Medallion Square Commercial Complex. A smoke shop is considered a retail use and a permitted use in the 'C-2' or general commercial zone. This application is before the Planning Commission as the applicant would like to sell beer for off premise consumption. The retail sale of beer for off premise consumption would fit into the definition of a convenience store, which is a conditional use in the 'C-2' or general commercial zone. This property occupies 0.98 acres of land. The General Plan designates this property as General Commercial.

The proposed business will operate from 10 am until 10 pm Sunday – Thursday and from 10 am until 11 pm Friday and Saturday. The site was approved for enough parking for retail uses as well as one restaurant use in the commercial complex with 59 parking stalls. A convenience store requires the same amount of parking (1 space required for 250 sq ft of gross floor area) as any other retail use. Four parking spaces would be required specifically for this business. The applicant is requesting one wall sign that meets the size regulations of the West Valley City sign ordinance. Where there is no pole sign on site, the business can have a maximum of 15% of the front elevation used for signage. The project is just finishing the building and landscaping. The project proposed and will install 18% landscaping on the site when 15% is required by ordinance. This landscaping will be complete once the weather permits. A six foot tall masonry wall has been built along the East side of this project, next to the residential zone.

The property on the South and North sides of 3411 South Redwood Road are zoned C-2 and are designated mixed use or general commercial under the General Plan. The property on the West side of 3411 South Redwood Road is zoned C-3 and is designated general commercial under the General Plan. The property on the east side of 3411 South Redwood Road is zoned R-4 and is designated high density under the General Plan. As the majority of the surrounding uses are zoned and designated in the general plan as commercial uses and a masonry wall and landscape buffer has been installed next to the residential property line, staff does not see this use adversely affecting neighbors or neighboring zones.

Planning Commission Concerns

At the Study Session on February 17, 2010, the Planning Commission was concerned about customers buying beer and then drinking it out in public. After speaking with legal staff, planning staff became aware that drinking alcohol is only permitted in designated places such as restaurants, concert venues, clubs, restaurants with outdoor seating, et cetera. It is illegal to drink alcohol, or have an open alcoholic beverage on public property or in a place not designated for the consumption of alcohol.

Recommendations/ Staff Alternatives

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 1. That the applicant shall apply for and receive approval of a West Valley City Building permit for any alterations inside the tenant space.
 2. That the applicant shall obtain approval of a building permit application for the wall sign proposed and that the sign shall adhere to regulations for signs contained in Title 11 of the West Valley City Code.
 3. That a valid West Valley City Business License be reviewed and approved prior to any and all business functions at this location and after all building permits and a certificate of occupancy have been reviewed and approved.
 4. That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing.

Attachments

- Letter from Applicant
- Site Plan/Tenant Space
- Wall Sign Elevations
- Pictures
- Vicinity Map